

# STATEMENT OF SCOPE

## Department of Veterans Affairs

**Rule No.:** VA 15

**Relating to:** The American Indian Veterans' Service Grant program

**Rule Type:** Permanent

### 1. Finding/nature of emergency (Emergency Rule only):

N/A

### 2. Detailed description of the objective of the proposed rule:

As the result of changes made by 2015 Wisconsin Act 55, the Department seeks to modify the American Indian Veterans' Service Grant program rules by identifying the grant as a reimbursable grant; and by establishing criteria and procedures for the application process, reimbursement, eligibility and general limitations under the grant.

### 3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

The Department administers a program of grants to tribes and bands for the improvement of services to veterans under s. 45.82(4), Wis. Stats., and Chapter VA 15 of the Wisconsin Administrative Code. Under the current code language, a tribe and or band receives grant funds upon application.

Under previous law, the grant was payable to a tribe or band and the amount of the grant was not to exceed the statutory limit of \$15,000.00.

The Department proposes an amendment to Chapter VA 15 to bring the rule into compliance with current law which made the grant reimbursable, established categories of expenses eligible for reimbursement, and phases out the use of grant funds for salary and fringe benefit expenses. The revised rule would provide guidance regarding the application process, eligibility, general limitations, and eligible expenses within each category of statutorily-permissible expenses.

Additionally, the rule will provide guidance regarding the reimbursement procedure.

Policy alternatives would be to reimburse without consideration of the appropriateness of the expenditures of the grant.

### 4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

Section 45.82 (6): The department shall promulgate rules establishing criteria and procedures for reimbursement under subs. (2) and (4).

Section 45.03 (2): Rule-making; records. The secretary, after consulting with the board, may promulgate rules necessary to carry out the purposes of this chapter and the powers and duties conferred upon it. The records and files of the department of military affairs and of any other state department or officer shall, upon request, be made available to the secretary or to the board; and,

Section 227.10 (2m), Stats., directs each agency to promulgate rules for the implementation or enforcement of any standard, requirement, or threshold.

**5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:**

Approximately 20 hours of Department of Veterans Affairs staff time will be needed to promulgate the rules.

**6. List with description of all entities that may be affected by the proposed rule:**

The rule will affect applicants for grants under the American Indian Veterans' Service Grant program.

**7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:**

The American Indian Veterans' Service Grant program is administered under the authority of state law. There are no existing or proposed federal regulations that address the activities to be regulated by the rule.

**8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):**

There is no anticipated impact on small businesses.

**Contact Person:** Kelly Brady, paralegal, Office of Legal Counsel, Department of Veterans Affairs, 608-266-0518, Kelly.Brady@dva.wisconsin.gov.